

AMENDED IN ASSEMBLY MAY 5, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2679

**Introduced by ~~Assembly Member~~ Assembly Members Logue and
Nestande
(Coauthors: Assembly Members Hagman and Wilk)
(Coauthor: Senator Vidak)**

February 21, 2014

An act to ~~add and repeal Section 5847.5~~ to amend Sections 5613 and 5772 of the Welfare and Institutions Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

AB 2679, as amended, Logue. County mental health services: baseline reports.

Existing law, the Bronzan-McCorquodale Act, sets out a system of community mental health care services provided by counties and administered by the State Department of Health Care Services. The act requires the Director of Health Care Services to establish a Performance Outcome Committee, as specified, and requires the committee to develop measures of performance for evaluating client outcomes and cost effectiveness of mental health services provided by counties, as specified. The act requires counties to annually report data on these performance measures to local mental health advisory boards and to the director. The act requires the director to annually make this county performance data available to the Legislature, as specified.

This bill would additionally require the director to annually post the county performance data described above on the department's Internet Web site.

The act also establishes the California Mental Health Planning Council, which purpose is to fulfill certain mental health planning requirements mandated by federal law. The act also requires the council, among other things, to review program performance in delivering mental health services based on specified data and reports, and to report findings and recommendations on programs' performance annually to the Legislature, the department, and the local boards.

This bill would instead require the council to report findings and recommendations on the performance of programs in each county annually to the Legislature, the department, and the local boards, and to post these findings and recommendations annually on the council's Internet Web site.

~~Existing law governs the operation and financing of community mental health services for the mentally disordered in every county through locally administered and locally controlled community mental health programs. Existing law, the Mental Health Services Act, an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the Mental Health Services Fund to fund various county mental health programs. The act requires each county mental health program to prepare and submit a 3-year program and expenditure plan, to be updated at least annually, to the Mental Health Services Oversight and Accountability Commission within 30 days of adoption.~~

~~This bill would, until January 1, 2025, additionally require the State Department of Health Care Services, in cooperation with county mental health directors and appropriate state and county officials, to develop a baseline report on system quality and access to services in each county's mental health plan, as specified. The bill would require the state, on or before July 1, 2015, to issue requirements for each county to establish baseline reports on system quality and access to services provided by county mental health plans. The bill requires the baseline measures to include, among other things, the number of mental health clients served by category, as specified, and the identification of service priorities that should be developed or expanded to meet community needs.~~

~~The bill would require each county, on or before January 1, 2016, to submit a baseline report to the department on the efficacy of the county's mental health plan, as specified, for the 2014–15 fiscal year. The bill would require the report to include expenditures from all revenue streams. The bill would require the department, on or before June 30,~~

~~2016, to report to the Legislature on the baseline measure of system quality and access to services provided by the county baseline reports. The bill would require counties to submit a 2nd baseline report to the department by January 1, 2020, for the 2015–16, 2016–17, 2017–18, and 2018–19 fiscal years, and require the department to again report to the Legislature on the baseline measure of system quality and access to services provided by the county baseline reports on or before June 30, 2020. By requiring additional reports from counties, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to establish a
2 baseline report that shall inform public officials and stakeholders
3 of each county’s accessible mental illness treatments and supports,
4 identified unmet needs, and the status of system integration and
5 collaboration. This baseline report shall inform future investments
6 in spending and programs of county mental health plans for
7 cost-efficient and effective integration of all mental health funding
8 streams.

9 SEC. 2. Section 5613 of the Welfare and Institutions Code is
10 amended to read:

11 5613. (a) Counties shall annually report data on performance
12 measures established pursuant to Section 5612 to the local mental
13 health advisory board and to the Director of ~~Mental Health Care~~
14 *Services*.

15 (b) The Director of ~~Mental Health Care Services~~ shall annually
16 make *data on county performance* available to the Legislature, ~~no~~
17 ~~later than March 15, data on county performance and post that~~
18 *data on the department’s Internet Web site, by no later than March*
19 *15 of each year.*

1 SEC. 3. *Section 5772 of the Welfare and Institutions Code is*
2 *amended to read:*

3 5772. The California Mental Health Planning Council shall
4 have the powers and authority necessary to carry out the duties
5 imposed upon it by this chapter, including, but not limited to, the
6 following:

7 (a) To advocate for effective, quality mental health programs.

8 (b) To review, assess, and make recommendations regarding
9 all components of California's mental health system, and to report
10 as necessary to the Legislature, the State Department of Health
11 Care Services, local boards, and local programs.

12 (c) To review program performance in delivering mental health
13 services by annually reviewing performance outcome data as
14 follows:

15 (1) To review and approve the performance outcome measures.

16 (2) To review the performance of mental health programs based
17 on performance outcome data and other reports from the State
18 Department of Health Care Services and other sources.

19 (3) To report findings and recommendations on ~~programs~~ *the*
20 *performance of programs in each county* annually to the
21 Legislature, the State Department of Health Care Services, and
22 the local boards, *and to post those findings and recommendations*
23 *annually on its Internet Web site.*

24 (4) To identify successful programs for recommendation and
25 for consideration of replication in other areas. As data and
26 technology are available, identify programs experiencing
27 difficulties.

28 (d) When appropriate, make a finding pursuant to Section 5655
29 that a county's performance is failing in a substantive manner. The
30 State Department of Health Care Services shall investigate and
31 review the finding, and report the action taken to the Legislature.

32 (e) To advise the Legislature, the State Department of Health
33 Care Services, and county boards on mental health issues and the
34 policies and priorities that this state should be pursuing in
35 developing its mental health system.

36 (f) To periodically review the state's data systems and
37 paperwork requirements to ensure that they are reasonable and in
38 compliance with state and federal law.

1 (g) To make recommendations to the State Department of Health
2 Care Services on the award of grants to county programs to reward
3 and stimulate innovation in providing mental health services.

4 (h) To conduct public hearings on the state mental health plan,
5 the Substance Abuse and Mental Health Services Administration
6 block grant, and other topics, as needed.

7 (i) In conjunction with other statewide and local mental health
8 organizations, assist in the coordination of training and information
9 to local mental health boards as needed to ensure that they can
10 effectively carry out their duties.

11 (j) To advise the Director of Health Care Services on the
12 development of the state mental health plan and the system of
13 priorities contained in that plan.

14 (k) To assess periodically the effect of realignment of mental
15 health services and any other important changes in the state's
16 mental health system, and to report its findings to the Legislature,
17 the State Department of Health Care Services, local programs, and
18 local boards, as appropriate.

19 (l) To suggest rules, regulations, and standards for the
20 administration of this division.

21 (m) When requested, to mediate disputes between counties and
22 the state arising under this part.

23 (n) To employ administrative, technical, and other personnel
24 necessary for the performance of its powers and duties, subject to
25 the approval of the Department of Finance.

26 (o) To accept any federal fund granted, by act of Congress or
27 by executive order, for purposes within the purview of the
28 California Mental Health Planning Council, subject to the approval
29 of the Department of Finance.

30 (p) To accept any gift, donation, bequest, or grants of funds
31 from private and public agencies for all or any of the purposes
32 within the purview of the California Mental Health Planning
33 Council, subject to the approval of the Department of Finance.

34 ~~SEC. 2. Section 5847.5 is added to the Welfare and Institutions~~
35 ~~Code, to read:~~

36 ~~5847.5. (a) The State Department of Health Care Services, in~~
37 ~~cooperation with county mental health directors and appropriate~~
38 ~~state and county officials, shall develop a baseline report of system~~
39 ~~quality and access to services in each county's mental health plan.~~
40 ~~The baseline report shall include documentation of services funded~~

1 by all revenue sources, including county overmatch and any other
2 sources.

3 (b) On or before July 1, 2015, the state shall issue requirements
4 for each county to establish a baseline report on system quality
5 and access to services provided by county mental health plans.
6 Baseline reports shall include, but not be limited to, all of the
7 following:

8 (1) The number of mental health clients served by county mental
9 health plans that serve individuals who meet diagnostic criteria
10 for access to county mental health systems, based upon system of
11 care standards and accepted continuum of care models for children,
12 and adults and older adults. The number of mental health clients
13 served shall be categorized by children, adults and older adults,
14 and unmet need.

15 (2) The identification of service priorities that should be
16 developed or expanded in order to meet community needs.

17 (3) Staff-to-client ratios for the majority of outpatient clients,
18 the number of days a client waits to see the clinician after seeking
19 treatment, the average wait between physician visits, access to
20 individual and group therapies, and access to supportive housing.

21 (4) A description and the impact of established programs to
22 reduce crisis-driven spending, such as programs to reduce repeated
23 hospitalizations, incarcerations, injuries, and deaths.

24 (5) For the three most recent years available, the number and
25 percentage of county jail populations that have a diagnosis of
26 mental illness, county suicide rates, and increases or reductions in
27 law enforcement involvement in mental health crisis calls,
28 including the number of commitments pursuant to Section 5150.

29 (6) The percentage and amount of county revenue devoted to
30 the cost of treatment for individuals in locked facilities.

31 (c) (1) On or before January 1, 2016, each county shall, for the
32 2014-15 fiscal year, submit to the department a baseline report on
33 the efficacy of the county's mental health care plan, including
34 county-operated programs and county-contracted services. The
35 report shall include expenditures from all revenue streams.

36 (2) On or before June 30, 2016, the department shall report to
37 the Legislature on the baseline measure of system quality and
38 access to services provided by the counties pursuant to paragraph
39 (1). The report shall be submitted in compliance with Section 9795
40 of the Government Code.

1 ~~(3) The requirement for submitting a report imposed pursuant~~
2 ~~to paragraph (2) is inoperative on July 1, 2020, pursuant to Section~~
3 ~~10231.5 of the Government Code.~~

4 ~~(d) (1) On or before January 1, 2020, a second baseline report~~
5 ~~shall be conducted by counties for the 2015–16, 2016–17, 2017–18,~~
6 ~~and 2018–19 fiscal years and submitted to the department. The~~
7 ~~report shall include the information described in paragraph (1) of~~
8 ~~subdivision (c).~~

9 ~~(2) On or before June 30, 2020, the department shall report to~~
10 ~~the Legislature on the baseline measure of system quality and~~
11 ~~access to services provided by the counties pursuant to paragraph~~
12 ~~(1). The report shall be submitted in compliance with Section 9795~~
13 ~~of the Government Code.~~

14 ~~(3) The requirement for submitting a report imposed pursuant~~
15 ~~to paragraph (2) is inoperative on July 1, 2024, pursuant to Section~~
16 ~~10231.5 of the Government Code.~~

17 ~~(e) This section shall remain in effect only until January 1, 2025,~~
18 ~~and as of that date is repealed, unless a later enacted statute, that~~
19 ~~is enacted before January 1, 2025, deletes or extends that date.~~

20 ~~SEC. 3. If the Commission on State Mandates determines that~~
21 ~~this act contains costs mandated by the state, reimbursement to~~
22 ~~local agencies and school districts for those costs shall be made~~
23 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
24 ~~4 of Title 2 of the Government Code.~~